

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA)	Criminal Case No. 3:09cr00019-1
)	
v.)	<u>2255 FINAL ORDER</u>
)	
STACY LAMONT BERRY)	By: Norman K. Moon
)	United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Berry's motion pursuant to 28 U.S.C. § 2255 is **DISMISSED**; and this action is **STRICKEN** from the active docket of the court.

Further, finding that Berry has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk of the Court is directed to send a certified copy of this order and the accompanying memorandum opinion to petitioner.

ENTER: This 14th day of January, 2013.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE